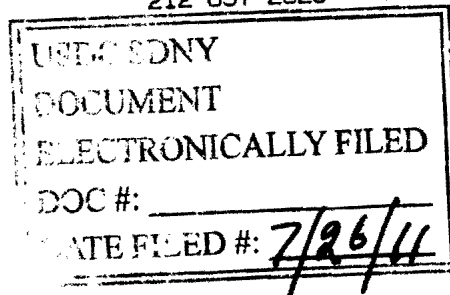


Jul 25 2011 01:38pm

212 637 2620

P.03

JUL-25-2011 14:45

Received:  
US ATTORNEY

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

-----X  
UNITED STATES OF AMERICA

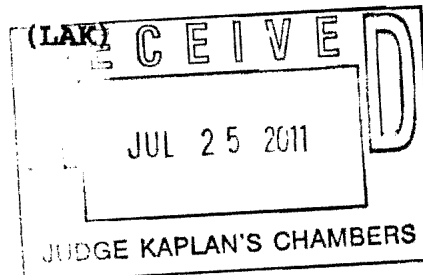
-v-

IRA RUBIN,  
CHAD ELIE, and  
JOHN CAMPOS,

Defendants.  
-----X

PROTECTIVE ORDER ON CONSENT

S3 10 Cr. 336 (LAK)



Upon the application of the United States Attorney for the Southern District of New York and IRA RUBIN, CHAD ELIE, and JOHN CAMPOS, defendants herein, for the entry of a Protective Order, and for good cause shown,  
IT IS HEREBY ORDERED THAT:

1. With the exception of otherwise publicly available documents and information, any documents, the information contained therein, and other information provided by the Government to the defendants pursuant to Federal Rule of Criminal Procedure 16, Title 18, United States Code, Section 3500, *Brady v. Maryland*, or *United States v. Giglio*, are deemed confidential ("Confidential Information"). Confidential Information disclosed to the defendants and/or their counsel during the course of proceedings in this action:

a. Shall be used by the defendants and/or their counsel solely for purposes of this criminal action;

Jul 25 2011 01:39pm

212 637 2620

P.04

JUL-25-2011 14:45

Received:  
US ATTORNEY

b. Shall not be disclosed in any form by the defendants and/or their counsel to members of the media or used for any commercial or business purpose;

c. Shall not be disclosed in any form by the defendants and/or their counsel except as set forth in paragraph 2 below.

2. Confidential Information may be disclosed by the defendants and/or their counsel only to the following designated persons (the "Designated Person"); (i) all personnel employed or retained by the defendants' counsel; (ii) independent expert witnesses or advisors retained, pursuant to a written retainer agreement, by the defendants and/or their counsel in connection with the criminal case; (iii) prospective witnesses, and their counsel, to the extent deemed necessary by defense counsel, for trial preparation; and (iv) such other persons as hereafter may be authorized by the Government or by order issued by the Court.

3. If the defendants and/or defendants' counsel disclose any Confidential Information to a third party or its counsel, defendants' counsel shall obtain from such third party (or, if the third party is not an individual, an authorized representative of the third party) or its counsel, at the time of the initial disclosure or dissemination, the following written statement (the "Written Statement"):

I acknowledge that the materials provided to me are "Confidential Information" as set

Jul 25 2011 01:39pm

212 637 2620

P.05

Received:

US ATTORNEY

JUL-25-2011 14:45

forth in the Protective Order of the United States District Court for the Southern District of New York (the "Court") dated July \_\_, 2011, and filed in case S3 10 Cr. 336 (LAK) (the "Protective Order"), a copy of which I have received and read in its entirety. I agree to be bound by the terms and provisions of the Protective Order, and to submit to the jurisdiction of the Court for the purpose of enforcement of the Protective Order.

Neither the defendants nor their counsel shall be required, absent further court order, to disclose the identities of the third parties to which they have disclosed the Confidential Information or any Written Statement. Defendants' counsel shall maintain a copy of each signed statement, each of which shall be considered "Confidential Information" pursuant to this Protective Order. However, defendants and their counsel need not obtain such statement from any member of the defense team (i.e., attorneys, experts, consultants, paralegals, investigators, support personnel, and secretarial staff involved in the representation of the defendants in this case), all of whom are nonetheless bound by this Protective Order. No third party shall be required, absent further court order, to disclose its receipt of Confidential Information or its Written Statement pursuant to the terms of this Protective Order.

4. Notwithstanding the above, the Government may designate certain Confidential Information to be "Highly Confidential Information." Defendants, their counsel and/or any

Jul 25 2011 01:39pm

212 637 2620

P.06

Received:

US ATTORNEY

JUL-25-2011 14:45

member of the defense team, as that term is defined in the previous paragraph, may not provide Highly Confidential Information to prospective witnesses or their counsel absent prior approval of the Government or an ex parte order of the Court.

5. The defendants and/or their counsel shall store Confidential Information in a secure place and shall use reasonable care to ensure that the Confidential Information is not disclosed or disseminated to any third parties in violation of this Protective Order. In the event of an inadvertent disclosure of Confidential Information, the defendants and/or their counsel shall promptly notify the Court and the Government as to the identity of the recipient of the inadvertently produced Confidential Information and shall use all reasonable efforts to secure the return or destruction of the inadvertently produced Confidential Information.

6. The defendants and/or their counsel agree that they have no ownership interest in the materials subject to this Protective Order. The defendants and/or their counsel further agree that all such materials are to be returned to the Government at such time as they are no longer needed in this action, at the end of the criminal proceeding, or upon Order of the Court, whichever occurs first.

7. The provisions of this Order shall not be

JUL-25-2011 14:45

construed as preventing the disclosure of any information in any motion, hearing, trial held in this action, any appeal therefrom, or to any Judge or Magistrate Judge of this Court or the Court of Appeals for purposes of this action, except that defense counsel may retain such materials as are annexed to pleadings filed with the Court or the Court of Appeals in this case.

8. The defendants and/or their counsel will abide by the restrictions set forth in this Order unless the defendants and/or their counsel make a written request to the Government for an exception to these restrictions, and such a request is granted. The Government shall make all reasonable efforts to accommodate such exceptions. If such exceptions are refused, the defendants and/or their counsel may seek relief from the Court.

Jul 25 2011 01:39pm

212 637 2620

P.08

JUL-25-2011 14:45

Received:

US ATTORNEY

9. This Order may be signed in counterparts and transmitted by facsimile and/or electronic copy, each of which counterparts will be deemed to be an original and which taken together will constitute the Order.

Dated: New York, New York  
July 8, 2011

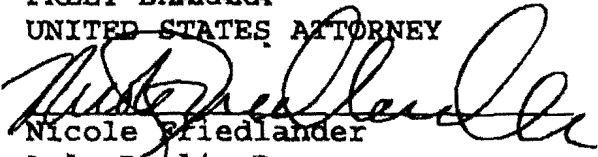
AGREED AND CONSENTED TO:

\_\_\_\_\_  
William Cowden, Esq.  
Counsel for Chad Elie

Fred Hafetz, Esq.  
Counsel for John Campos

\_\_\_\_\_  
Stuart Misner, Esq.  
Counsel for Ira Rubin

PREET BHARARA  
UNITED STATES ATTORNEY

  
Nicole Friedlander  
Arlo Devlin-Brown  
Assistant U.S. Attorneys\_

SO ORDERED:

\_\_\_\_\_  
HONORABLE LEWIS A. KAPLAN  
UNITED STATES DISTRICT JUDGE

Nicole Friedlander  
Arlo Devlin-Brown  
Assistant U.S. Attorneys\_

JUL-25-2011 14:45  
07/22/2011 12:46

Received:  
US ATTORNEY  
5468434964

STUART MEISSNER LLC

212 637 2620

P.09  
PAGE 07/07

9. This Order may be signed in counterparts and transmitted by facsimile and/or electronic copy, each of which counterparts will be deemed to be an original and which taken together will constitute the Order.

Dated: New York, New York  
July 8, 2011

AGREED AND CONSENTED TO:

PREET BHARARA  
UNITED STATES ATTORNEY

\_\_\_\_\_  
William Cowden, Esq.  
Counsel for Chad Elie

\_\_\_\_\_  
Nicole Friedlander  
Arlo Devlin-Brown  
Assistant U.S. Attorneys\_

Fred Haffetz, Esq.  
Counsel for John Campos

\_\_\_\_\_  
Stuart Meissner, Esq.  
Counsel for Ira Rubin

*Handwritten:*  
Held to Email of 6/1/11  
and 7/22/11

SO ORDERED:

\_\_\_\_\_  
HONORABLE LEWIS A. KAPLAN  
UNITED STATES DISTRICT JUDGE

Nicole Friedlander  
Arlo Devlin-Brown  
Assistant U.S. Attorneys\_

JUL-25-2011 14:45

US ATTORNEY

212 637 2620

P.10

9. This Order may be signed in counterparts and transmitted by facsimile and/or electronic copy, each of which counterparts will be deemed to be an original and which taken together will constitute the Order.

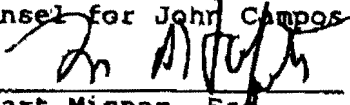
Dated: New York, New York  
July 8, 2011

AGREED AND CONSENTED TO:

PREET DHARARA  
UNITED STATES ATTORNEY

\_\_\_\_\_  
William Cowden, Esq.  
Counsel for Chad Elie

\_\_\_\_\_  
Nicole Friedlander  
Arlo Devlin-Brown  
Assistant U.S. Attorneys\_

Fred Hafetz, Esq.  
Counsel for John Campos  
  
\_\_\_\_\_  
Stuart Misner, Esq.  
Counsel for Ira Rubin

SO ORDERED:

\_\_\_\_\_  
HONORABLE LEWIS A. KAPLAN  
UNITED STATES DISTRICT JUDGE

Nicole Friedlander  
Arlo Devlin-Brown  
Assistant U.S. Attorneys\_



Received:

JUL 25 2011 01:39pm

212 637 2620

P.11

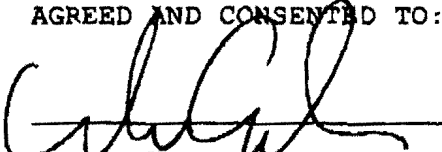
JUL-25-2011 14:46

US ATTORNEY

9. This Order may be signed in counterparts and transmitted by facsimile and/or electronic copy, each of which counterparts will be deemed to be an original and which taken together will constitute the Order.

Dated: New York, New York  
July 8, 2011

AGREED AND CONSENTED TO:

  
William Cowden, Esq.  
Counsel for Chad Elie


PREET BHARARA  
UNITED STATES ATTORNEY

Nicole Friedlander  
Arlo Devlin-Brown  
Assistant U.S. Attorneys\_

Fred Hafetz, Esq.  
Counsel for John Campos

Stuart Misner, Esq.  
Counsel for Ira Rubin

SO ORDERED:

  
HONORABLE LEWIS A. KAPLAN  
UNITED STATES DISTRICT JUDGE

Nicole Friedlander  
Arlo Devlin-Brown  
Assistant U.S. Attorneys\_

7/26/11